money from prisoners and put it into a general fund without earmarking it for their victim are merely fines. Restitution in the true sense, requires that the offender directly compensate the victim and therefore require the offender to acknowledge their responsibility to the victim.

This legislation reforms FPI in a way that will allow us to do a better job of rehabilitating our rising inmate population and reducing the crime rate of released inmates. At the same time, it will help the U.S. economy and will be a better deal for the U.S. taxpayers. I encourage my colleagues to cosponsor this legislation, and support the FPI's mission to rehabilitate our inmates by providing an opportunity for inmates to gain meaningful employment skills and come out of prison as productive members of society.

GLOBAL COMPETITIVENESS OF THE U.S. LEASING INDUSTRY

HON. JIM McCRERY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. MCCRERY. Mr. Speaker, today I am introducing a bill that would eliminate a provision of the tax code which hinders the global competitiveness of the U.S. leasing industry.

The leasing industry is important to the U.S. role in the global economy. Our manufacturers use leasing as a means to finance exports of their goods, and many have leasing subsidiaries that arrange for such financing. Many U.S. financial companies also arrange lease financing as one of their core services. The activities of these companies support U.S. jobs and investment.

Enacted in 1984, the depreciation rules governing tax-exempt use property (referred to as the ''Pickle rules'') operate to place U.S. companies at a competitive disadvantage in overseas markets. Because of the adverse impact of the Pickle rules on cost recovery, U.S. lessors are unable in many cases to offer U.S.-manufactured equipment to overseas customers on terms that are competitive with those offered by their foreign competitors. Many European countries, for example, provide far more favorable depreciation rules for home-country lessors leasing equipment manufactured in the home country.

There is no compelling tax policy rationale for maintaining the Pickle rules as they apply to export leases. The Pickle rules were enacted in part to address situations where the economic benefit of accelerated depreciation and the investment tax credit were indirectly transferred to foreign entities not subject to U.S. tax through reduced rentals under a lease. That rationale no longer applies. The investment tax credit was repealed in 1986, and property used outside the United States generally is no longer eligible for accelerated depreciation. The present-law requirement that property leased to foreign entities or persons be depreciated over 125 percent of the lease term simply operates as an impediment to U.S. participation in global leasing markets.

The global leasing markets have expanded dramatically since 1984. The competitive pressures on U.S. businesses from their foreign counterparts also have increased dramatically. Repealing the Pickle rules as they apply to U.S. exports will strengthen the competitiveness of the U.S. leasing industry and promote U.S. jobs and investment.

I am pleased my friend and colleague from California, Mr. MATSUI, is introducing similar legislation and look forward to working with him and others to unshackle the leasing industry from these outdated constraints.

WOMEN'S OBSTETRICIAN AND GYNECOLOGIST MEDICAL ACCESS NOW ACT

HON. SUSAN DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mrs. DAVIS of California. Mr. Speaker, today I am introducing the Women's Obstetrician and Gynecologist Medical Access Now Act, the WOMAN Act. This bill will ensure that every woman has direct access to her ob-gyn.

When I served in the California State Assembly, I heard from many women that they were being denied access or had to jump through numerous bureaucratic hoops to see their ob-gyn. Statistics show that if there are too many barriers between a woman and her doctor, she is much less likely to get the medical care she needs. This is simply unacceptable. A woman should not need a permission slip to see her doctor. Ob-gyns provide basic, critical health care for women. Women have different medical needs than men, and ob-gyns often have the most appropriate medical education and experience to address a woman's health care needs.

It is not hard to see what a difference direct ob-gyn access makes in women's health care. Imagine a working woman in San Diego who has a urgent medical problem that requires an ob-gyn visit. She works forty-five hours a week and has limited sick and vacation time. On Monday she calls from work to make an appointment with her primary care physician. If she is lucky, she gets an appointment for Tuesday morning and takes time off to go see her doctor. Her doctor agrees she should be seen by her ob-gyn and gives her a referral. Tuesday afternoon she returns to work and calls her ob-gyn. The doctor is in surgery on Wednesday, but they offer her an appointment on Friday morning. On Friday she takes another morning off work and finally gets the care she needs. This unnecessary referral process has resulted in her taking an extra morning off work and delayed her proper medical care by 5 days. The patient, employee, primary care physician, and health plan provider would have saved money and time if the patient had been able to go directly to her ob-gyn.

A recent American College of Obstetricians and Gynecologists/Princeton survey of ob-gyns showed that 60% of all ob-gyns in managed care reported that their patients are either limited or barred from seeing their ob-gyns without first getting permission from another physician. Nearly 75% also reported that their patients have to return to their primary care physician for permission before they can see their ob-gyn for necessary follow-up care. Equally astounding is that 28% of the ob-gyns surveyed reported that even pregnant women must first receive another physician's permission before seeing an ob-gyn.

After meeting with women, obstetricians and gynecologists, health plans, and providers in the State of California, I wrote a state law that gives women direct access to their ob-gyn. That law was a good first step; however, it still does not cover over 4.3 million Californians enrolled in self-insured, federally regulated health plans. Clearly, this problem is not unique to California. There are still eight states that do not guarantee a woman direct access to her ob-gyn. Equally important to remember is that even if a woman lives in a state with direct access protections, like California, she may not be able to see her ob-gyn without a referral if she is covered by a federally regulated ERISA health plan. This means that one in three insured families are not protected by state direct access to ob-gyn laws. The time has come to make direct access to an ob-gyn a national standard.

I urge you, Mr. Speaker, and all of my colleagues to pass this critical legislation quickly into law.

FAIRNESS AND EQUITY FOR SPOUSES OF FOREIGN SERVICE OFFICERS

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. MORAN of Virginia. Mr. Speaker, today I am introducing legislation to correct an inequity that affects a number of spouses of Foreign Service Officers in my district and throughout the nation who served in part-time, intermittent, or temporary positions (PITs) in American embassies and missions from 1989 to 1998.

Although countless Foreign Service spouses have given up their own careers to follow officers overseas, many of them hope to continue government service, whether assigned to an embassy or here in Washington. In fact, hundreds have gone to work for the Department of State as civil service employees while their spouses were serving domestically. When the time has come for Foreign Service family members to check their retirement status, many are shocked to hear that the years they worked overseas will not count for retirement purposes.

PIT employees are excluded from receiving credit in the Federal Employees Retirement System because of the generally non-permanent nature of their employment. However, Foreign Service spouses who worked as PITs had no choice over the type of work they performed. These individuals had to take PIT positions because these jobs were the only ones available to them while living abroad. They had no choice between part-time, temporary government work and full-time, permanent work. Even those who worked full-time were still classified as PITs.

The exceptional nature of their situation is reflected in the Department of State's reclassifying this group of workers in 1998 as falling

under the new Family Member Appointment. This position allows them to begin accruing retirement credit. However, these individuals are not allowed to pay back into the FERS for time worked in PIT positions, As a result, many Foreign Service spouses who worked as a PIT between 1989 and 1998 have lost up to nine or ten years of retirement credit.

Mr. Speaker, this is a matter of grave consequence to many Americans who devoted their most productive years to public service abroad. Foreign Service Officers and their spouses live lives that often put them in physical danger and cause great emotional distress. One constituent recounted being taken hostage with her husband by terrorists in Peru; while she was released early, she did not know if her husband was alive, injured, or dead.

It is simply unfair that these individuals, who have lived and worked under incredibly stressful conditions and who had no choice as to the type of work they performed, are not able to buy back the retirement credit they earned. As I indicated, some of my constituents have lost up to nine years of retirement credit because this provision has not been corrected. I urge my colleagues to join me in cosponsoring this important legislation.

THE AMERICAN WETLAND RESTORATION ACT

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. JONES of North Carolina. Mr. Speaker, I rise today to announce the introduction of the ''American Wetland Restoration Act.''

This legislation builds upon the wetlands mitigation banking legislation I introduced in the last 3 Congresses and also the 1995 Federal Guidance issued by the Environmental Protection Agency and the United States Army Corps of Engineers.

My Congressional district in eastern North Carolina includes most of the coast and four major river basins. More than 60% of my district could be classified as wetlands. My constituents are directly impacted by wetlands and the countless regulations that protect them. I have been contacted by farmers, business owners, state and local officials, land owners and even the military for advice and guidance in order to reach a balance between protecting these valuable resources while improving water quality but also providing for strong economic development.

On almost a daily basis, we are reminded of the critical role wetlands play in our ecosystems, specifically in maintaining water quality.

Wetlands mitigation banking is a concept readily embraced by regulators, developers and environmentalists. This balanced approach recognizes the need to protect our wetland resources while ensuring property owners their rights to have reasonable use of their properties.

Federal legislation is not only warranted, it is vital. While mitigation banking is occurring, it is limited because the authorizing agencies have little or no statutory guidance. Also, investors and venture capitalists are hesitant to invest the money needed to restore wetlands without legal certainty. One of the great benefits of private mitigation banking is that the monitoring of one large tract of wetland requires fewer resources than monitoring thousands of tiny, unsuccessful mitigation projects.

But, before a single credit is ever issued and before a wetlands mitigation banker can ever earn a dime, they must acquire land, develop a comprehensive restoration plan and establish a cash endowment for the long-term maintenance of the bank. This daunting challenge is magnified when you recall that there is no current statutory authority!

These mitigation banks give economic value to wetlands, potentially providing billions of dollars to restoring wetlands in sensitive watersheds. Unlike other mitigation projects, mitigation banks are complete ecosystems. So instead of only trying to protect the remaining wetlands, mitigation banking will actually increase wetlands acreage!

My legislation sets a simple but lofty goal: No net loss of wetlands. Specifically, the legislation requires

(1) That mitigation banks meet rigorous financial standards to assure wetlands are restored and preserved over the long term;

(2) That there is an ample opportunity for meaningful public participation;

(3) That banks must have a credible long-term operation and maintenance plan;

(4) That the banks be inspected by the same regulatory agencies who have assigned the credits and permitted the banks; and,

(5) That the banks only receive credits if they prove the continuing ecological success of their project, thus allowing regulators to ensure a 100% success rate of the projects they monitor.

Mitigation banking places the responsibility for restoration and preservation of wetlands in the hands of the experts and establishes the financial incentive to make the restoration work. By applying sound environmental engineering to the restoration process, setting up a longterm monitoring and maintenance endowment, and having the regulatory controls in place—these are the assurances my legislation requires of any potential banking project.

This free-market approach to environmental conservation and stewardship is hard for some to swallow. But I ask you, many organizations have profited greatly from stringent environmental regulations, yet where has all the money gone that was allegedly spent on protecting the environment? And are our lands and waterways really in better hands when the Federal government is the owner or administrator?

I do not believe the interests of the economy and the environment have to be at odds. Wetlands mitigation banking makes conservation good business. It provides the financial and ecological incentives to make restoring, preserving and protecting our environment successful.

The end result, protecting and preserving environmentally sensitive lands, is assured with my legislation. The ''American Wetland Restoration Act'' will give wetlands mitigation banking the statutory authority it needs to flourish, and it will begin restoring the wetlands that many thought were lost forever.

I hope my colleagues will join me in supporting this bill.

REFORM DAIRY PRICING REGULATIONS

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. PETRI. Mr. Speaker, today I am introducing a bill that will reform the method by which fluid milk has been priced in our country for too long. The Federal Milk Marketing Order system is a relic that flxes prices and feebly serves the outdated aims of a bygone era. Created in the 1930's, its original purpose was ostensibly to provide a locally produced supply of fresh milk throughout the country. Over sixty years ago, such a system may have made more economic sense. We didn't have the Interstate highway system, efficient refrigerated trucks, or reconstituted milk, for example. Today, conditions are vastly different, necessitating reform of the federal dairy program.

By basing the price of Class I, fluid milk, on the distance from Eau Claire, Wisconsin, the federal government has radically distorted dairy markets and discriminated against the dairy farmers of the Upper Midwest. The resulting inefficient production of milk in areas distant from the Upper Midwest has led to the oversupply of milk and depresses the price of processed dairy products. Dairy farmers in Wisconsin have paid dearly under this system. Today, my state loses approximately five dairy farmers a day.

Furthermore, by using distance to set the price of fluid milk, the federal order system is inherently anti-consumer. Consumers are stuck paying the set price for milk instead of the price determined by a free marketplace where efficiency is rewarded. The Congressional Budget Office estimates that eliminating this market distorting system would save $669 million over five years. In an age of ''global free trade,'' this system that effectively puts a tariff on milk from other regions of the country is absurd.

The bill I introduce today reforms the single most discriminatory element of the Federal Milk Marketing Order program by prohibiting the Secretary of Agriculture from basing the price of fluid milk on distance or transportation costs from any location outside the marketing order area unless 50 percent or more of that area's milk comes from a location outside that order area. By eliminating this factor the Secretary of Agriculture will have to consider supply and demand factors when setting milk prices as required by the Agricultural Marketing Agreement Act. Additionally, the bill requires the Secretary of Agriculture to report to Congress on the specific criteria used to set milk prices. This report will include a certification that the criteria used by the Department in no way attempts to circumvent the prohibition on the use of distance or transportation costs as the basis for milk prices.

Reform of the Federal Milk Marketing Order program is long overdue. The discrimination against the dairy farmers of the Upper Midwest must end. Not only will this bill restore